

State of Rhode Island and Providence Plantations
Rhode Island Division of Motor Vehicles
Rhode Island Dealer's License and Regulations Office
100 Main Street, Pawtucket, RI 02860
Tel. # 401-462-5733,5734 / Fax # 401-462-5718

August 14, 2009

TO: Gary Sasse, Director

DEPT: Department of Administration

FROM: Walter R. Craddock, Esq., Chairman

DEPT: Division of Motor Vehicles

SUBJECT: HEARING BOARD RESULTS

Please be advised of the following matters which were heard before the Board on Thursday, August 13, 2009. Board members: Walter R. Craddock, Esq., Chairman, Dennis Gerstmeyer, Thomas Celona , James Botvin and Sgt.David Doucet of the Rhode Island State Police. Also be advised the following people were present during the hearing: Steven Raffa, Esq., Division of Legal Services and Richard Interrante.

Absent: Michael Vispo

MEETING OF AUGUST 13, 2009 AT 9:00 AM
DIVISION OF MOTOR VEHICLES – 100 MAIN STREET, PAWTUCKET,
RI 02860

1. REVIEW AND ACCEPTANCE OF THE MINUTES OF THE JULY 23, 2009 BOARD HEARING.

The minutes have been reviewed and accepted by the Board.

2. BALD HILL DODGE- CHRYSLER (Robert H. Petrarca, Pres.)
FRANCHISE ADDITION – CASE # KR-
TO SELL “NEW” JEEP VEHICLES.

Decision: The franchise addition has been approved. All application requirements have been met and a letter of no protest from Metro Chrysler Jeep Dodge is on file with the Dealers License and Regulations Office. No additional plates have been granted.

3. KAHLAN FARIS V. CAPRICE AUTO SALES (Gregory A. Porcaro, Pres.)

COMPLAINT / SHOW CAUSE HEARING – CASE # DS-09-087

Postponed at the request of Steven D. Dilibero, Esq., attorney for Caprice Auto Sales, he will be attending a funeral.

Page 1 of 2

PAGE 2 OF 2

HEARING RESULTS

4. DAVID VARGAS V. CAPRICE AUTO SALES (Gregory A. Porcaro, Pres.)

COMPLAINT / SHOW CAUSE HEARING – CASE # DS-08-285

Postponed at the request of Steven D. Dilibero, Esq., attorney for Caprice Auto Sales, he will be attending a funeral.

5. SONJA C. NEALY V. PLANET AUTO SALES (Vladimir Faryan, Pres.)

COMPLAINT / SHOW CAUSE HEARING – CASE # DS-09-087

Decision: The Board has determined that the dealership must buy back the vehicle from the consumer for the amount of \$2,600 which represents that amount on the original bill of sale within 10 days of receiving the formal decision.

The Board has also determined that Planet Auto Sales is in violation of the following Rhode Island General Laws and is required to pay the amounts listed below which total \$200.00 to the Dealers License and

Regulations Office within 30 days of receiving the formal decision:

Fine:\$100.00: Violation of RIGL §31-5-11(10) & (11): For indulging in any unconscionable business practices relating to business as a motor vehicle dealer and for violating any law relating to the sale, distribution or financing of motor vehicles.

Fine: \$100.00: Violations of RI Rules and Regulations Section VII (F) : For not supplying the title to the vehicle at the time of the sale or within 20 days of the sale if the vehicle is to be registered by the dealership.

6. OLGA A. MORENO V. RHODE ISLAND TRUCK SALES (Benjamin B. Viti, Pres.)

COMPLAINT /SHOW CAUSE HEARING – CASE # DS-09-173

Complaint was settled prior to this hearing. The dealership purchased the vehicle back for \$2,295.00.

7. DAVID VIENS V. RHODE ISLAND TRUCK SALES (Benjamin B. Viti, Pres.)

COMPLAINT / SHOW CAUSE HEARING – CASE # DS-09-091

Complaint was settled prior to this hearing. The dealership

purchased the vehicle back for \$2000.00.

Walter R. Craddock, Esq. Chairman

Cc: John DiTomasso, Assistant Administrator, DMV

Michael Vispo, Manager DMV

Steven Raffa, Esq., Division of Legal Services, DOA

Richard Interrante

File